

REMARKS

Reconsideration of the subject application is respectfully requested.

Applicant has carefully considered the substance of the Official Action, including the cited references. By this Amendment, the specification, drawings and abstract are amended to address the informalities notes by the Examiner. Claims 1-13 are cancelled, and new claims 14-20, conforming to the requirements of 35 U.S.C. § 112, second paragraph, are added. For the following reasons, Applicant believes the case to be in condition for allowance. Such allowance is courteously requested.

More specifically, responsive to the objection of the drawings under 37 C.F.R. § 1.83(a), Figure 2 of the drawings and the specification at page 6, lines 25-28, have been revised to depict the attachment points of the seat to the frame, specifically, attachment point 18' attaching seat 11' to frame 29' at a point projecting beyond the front sloping bars 26', and attachment point 32' attaching seat 11' to auxiliary bars 32. Accordingly, it is respectfully submitted that the objection to the drawings is moot, and withdrawal thereof is respectfully requested.

Responsive to the objections to the disclosure, Applicant has added a new abstract on a separate page, as required by MPEP § 608.01(b). Additionally, Applicant has incorporated the

Examiner's suggestions for correcting various errors in the specification. Reconsideration and withdrawal of the objection to the disclosure is respectfully requested.

Responsive to the rejections of claims 1-13 under 35 U.S.C. § 112, second paragraph, newly added claims 14-20 provide proper antecedent basis for all terms of the claims. Furthermore, newly added claims 14-20 provide a complete recitation of the structural connections between the elements of the invention. Thus, because the newly added claims 14-20 meet the requirements of 35 U.S.C. § 112, second paragraph, it is respectfully submitted that the rejection of claims 1-13 is moot.

Applicant requests reconsideration and withdrawal of the rejections to the claims based either on *Konar* alone, under 35 U.S.C. § 102(b), or based on *Konar* combined with either or both of *Hemstock* or *Cheng*, under 35 U.S.C. § 103. Newly added independent claim 14 recites a push-chair for transporting a first child and a second child. A frame supports "front and rear wheels and a seat for the first child." A platform "on which the second child can stand" is "disposed at a lower rear position on the frame." The claim also recites a "means for mounting the seat to the frame at a position substantially forward of the platform; wherein the rear wheels are mounted substantially at a trailing edge of the platform." The push-chair of the present invention is intended primarily for use with two children of different ages: the smaller

and younger child will sit in the seat, while the larger and older child will be old enough and able to stand on the rear platform while holding onto the back of the seat or a suitable crossbar. It is respectfully submitted that none of the cited references, alone or in combination, shows or suggests the invention as recited in claim 14.

More specifically, the primary reference, *Konar*, fails to disclose a push-chair including a platform on which a child can stand. *Konar* discloses a stroller with a wire basket 112 mounted on the rear part of a base ring 1, and a second seat 117 is removably mounted in this basket. The basket 112 prevents a child from stepping on and off the platform, since the upright parts of the wire basket is clearly too high for a child to step over it. Additionally, the platform of *Konar* extends behind the rear axle, rather than the rear wheels being mounted on the trailing edge of the platform. Accordingly, if a child were to stand on the platform, with the weight of the child standing on extreme rear portion of the platform, the entire stroller may be caused to tip over backwards. Further, *Konar* actually teaches away from a child standing on the platform, since it provides the secondary seat for the second child. Accordingly, because *Konar* does not teach the invention as recited by claim 14, specifically, a platform on which the second child can stand and the rear wheels being mounted

substantially at a trailing edge of the platform, it is respectfully submitted that claim 14 is not anticipated by Konar.

Claim 15, depending from claim 14, recites various features of the frame, specifically, that the frame includes a pair of delta-shaped side frames. This particular configuration is not depicted in Konar. Accordingly, claim 15 is also not anticipated by Konar.

Claim 16, depending from claim 15, recites that "the support frame includes auxiliary bars forwardly mounted on upper portions of the sloping bars" and that the seat mounting means are supported on the auxiliary bars. Konar fails to disclose forwardly mounted auxiliary bars meeting the requirements of claim 16; accordingly, claim 16 is not anticipated by Konar.

Claims 17-19 recite various features of the invention, not disclosed by Konar. The Examiner cites *Hemstock* and/or *Cheng* for supplying these deficiencies. However, neither *Hemstock* nor *Cheng* supply the above-noted deficiencies with respect to claims 14-16. Accordingly, reconsideration and withdrawal of the § 103 rejection of the claims is respectfully requested.

Newly added claim 20 recites that the space above the platform be "substantially unobstructed so that the second child can stand on the platform." This feature is clearly not shown by any of the cited references; accordingly, allowance of claim 20 is respectfully requested.

Applicant has reviewed the additional references cited but not applied by the Examiner, and offers the following comments. *Manuszak* discloses a device which can be used either as a stroller or as a playpen. A floor is surrounded by a mesh wall and is mounted on wheels. A seat is located on the floor within the wall. It is clearly impossible for a child to step on or off of the device to stand on it, whether in front of or behind the seat. It is also clearly impossible for a child to stand behind the seat, even if the mesh wall is removed. Accordingly, the present invention is recited in claims 14-20 is allowable over the *Manuszak* reference.

*Crisp* discloses a folding push-chair which can have a shopping bag attached behind the seat. When folded, as depicted in Figure 2, it can be used as a shopping cart. Two embodiments are shown. In the first embodiment of Figures 1-5, the bag fits into a holder 10 having a base on which the bag rests, a back against which the front of the bag rests, and side portions or flanges which restrain the sides of the bag. The second embodiment has a similar holder 10 with a base having flanges on both sides and the back, forming a pocket for receiving the bottom of the bag. The seat 11 of the chair is hinged to the front surface of the back of the holder, and the upper part of that front surface forms the back of the chair. There is no suggestion in *Crisp* that a child might stand on the base of the holder. Further, it is clear that it is

physically not possible for a child to stand comfortably on the base of the holder. Specifically, in the first embodiment, there is a pair of knuckle elements 41, each of which carries two pivots, a forward pivot X and a rearward pivot. From Figure 3, it can be seen that there is a bar 16 extending between the rearward pivots on these knuckle elements. For a child to stand on the base of the bag holder, the child would have to stand behind the vertical plane through this bar. But from Figure 2, it is clear that such a vertical plane will pass through the base of the bag holder, almost at its rear edge. Hence, a child standing on the base would either have to lean backwards, hanging onto the bar 16, or stand with his toes on the rear edge of the base with his heels hanging over the rear edge. In the second embodiment, it is clear from Figure 6 that the base of the holder is forward of the crossbar 16 at the top of the chair, so that the only way a child could stand on the base would be by leaning heavily backward and hanging onto the bar 16. This would result in an extremely dangerous situation, with the child liable to fall over backwards. Accordingly, it is respectfully submitted that the present invention as defined in claims 14-20 is allowable over the *Crisp* references.

For these reasons, it is respectfully requested that the objection and rejections of the claims be reconsidered and withdrawn, that claims 14-20 be allowed, and that the application be passed to issue.

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Respectfully submitted,

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